

Remarks

The Examiner rejected claims 22, 24, and 25 under 35 USC § 102(b) as being anticipated by Schroeder et al. (US 5,238,099) and claim 23 under 35 USC § 103(a) as being unpatentable over Schroeder et al. in view of Costanzo (US 6,758,323). The Examiner indicated that all the other claims (1-21) are allowable. The rejection is traversed. Claims 1-25 remain in the application.

In his § 102(b) rejection, the Examiner stated that Schroeder et al. shows, among other things, "a drive belt 40 which travels in a second loop inside the first loop." MPEP § 2131 provides: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Contrary to the Examiner's statement that Schroeder et al. anticipates claims 22, 24, and 25, Schroeder et al. does not disclose a drive belt arranged to travel in a belt loop inside a first loop of a roller-top belt. The loop formed by the drive belt 40 of Schroeder et al. is not inside the first loop. FIGS. 1 and 2 of Schroeder et al. show that the belt loop formed by the drive belt 40 extends outside the loop formed by the outer ball belt 12. Therefore, the § 102(b) rejection is unsupported by the art and should be withdrawn.

Because Schroeder et al. does not anticipate independent claim 22 and Costanzo does not disclose the claim elements missing from Schroeder et al., the § 103(a) rejection of dependent claim 23 should likewise be withdrawn.

Applicant respectfully requests reconsideration of the rejection of claim 22 and its dependent claims 23-25 in view of these remarks and allowance of the application.

This amendment is being sent within three months of the Office Action so no extension of time petition fee should be due. Authorization to charge any fees deemed necessary for consideration of this response to Deposit Account No. 12-0090 is hereby given. If the Examiner thinks a telephone conference would expedite the prosecution of this application, he is invited to call the undersigned attorney.

Respectfully submitted,
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